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Hearing Date: September 20, 2017

Hearing Time: 10:00 a.m.

Objection Deadline: August 30, 2017

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Chapter 7 Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

**CERTIFICATE OF NO OBJECTION TO
TRUSTEE'S MOTION AND MEMORANDUM OF LAW TO
AFFIRM HIS DETERMINATIONS DENYING CLAIMS OF
CLAIMANTS HOLDING INTERESTS IN THE SCHUPAK ACCOUNT**

Irving H. Picard, trustee (“Trustee”) for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*, and the chapter 7 estate of Bernard L. Madoff, by and through his undersigned counsel, submits this certificate pursuant to Local Bankruptcy Rule 9075-2, and respectfully represents:

1. On August 16, 2017, the Trustee’s Motion and Memorandum of Law to Affirm His Determinations Denying Claims of Claimants Holding Interests in The Schupak Account (the “Motion”) (ECF No. 16526) was filed, together with the Declaration of Vineet Sehgal (the “Sehgal Declaration”) (ECF No. 16527), and the Declaration of Stephanie Ackerman in support of the Motion (ECF No. 16528).

2. The deadline for filing objections to the Motion expired on August 30, 2017 at 4:00 p.m.

3. Notice of the Motion was provided by U.S. Mail, postage prepaid or email to (i) all claimants listed on Exhibit 2 annexed to the Sehgal Declaration, (ii) all parties included in the Master Service List as defined in the Establishing Notice Procedures (ECF No. 4560), (iii) all parties that have filed a notice of appearance in this case, (iv) the SEC, (v) the IRS, (vi) the United States Attorney for the Southern District of New York and (vii) SIPC, pursuant to the Order Establishing Notice Procedures (ECF No. 4560).

4. Counsel for the Trustee has reviewed the Court’s docket not less than forty-eight (48) hours after expiration of the time to file an objection and to date, no objection, responsive pleading, or request for a hearing with respect to the Motion appears thereon.

5. An electronic copy of the proposed order (the “Order”), that is substantially in the form of the proposed order that was annexed to the Motion, and Exhibit A thereto, will be submitted to the Court along with this certificate.

6. Pursuant to Local Bankruptcy Rule 9075-2, the Trustee respectfully requests that the Order be entered without a hearing, but notes that the Objecting Claimants may be *pro se*.¹

Dated: New York, New York
September 6, 2017

Respectfully submitted,

/s/ David J. Sheehan

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¹ Donald Schupak submitted all claims and objections on behalf of the Objecting Claimants as their “representative” and it is not clear whether he was acting as their counsel.